

IC 33-33-17

Chapter 17. DeKalb County

IC 33-33-17-1

Judicial circuit

Sec. 1. DeKalb County constitutes the seventy-fifth judicial circuit.

As added by P.L.98-2004, SEC.12.

IC 33-33-17-2

Establishment of standard superior court

Sec. 2. (a) There is established a court of record to be known as the DeKalb superior court.

(b) The DeKalb superior court is a standard superior court as described in IC 33-29-1.

(c) DeKalb County comprises the judicial district of the superior court.

As added by P.L.98-2004, SEC.12.

IC 33-33-17-3

Judge; location of court sessions

Sec. 3. The DeKalb superior court has one (1) judge who shall hold sessions in:

(1) the DeKalb County courthouse in Auburn; or

(2) other places in the county as the board of county commissioners of DeKalb County may provide.

As added by P.L.98-2004, SEC.12.

IC 33-33-17-4

Change of venue

Sec. 4. (a) If the transcript of the original papers in a civil action or proceeding received by the clerk of the circuit and superior courts of DeKalb County on change of venue from another county contains an order of the court from which venue was changed designating the circuit court or the superior court as the court to which the case is to be transferred, the clerk shall file the action or proceeding on the docket of the designated court.

(b) If the transcript of the original papers in a civil action or proceeding does not contain an order designating the court to which the case is to be transferred, the clerk shall alternately file each action or proceeding on the docket of the circuit court and the docket of the superior court, depending on the order and sequence in which the papers of the cases reach the clerk, so that if the first case is assigned to the circuit court, the next must be assigned to the superior court.

As added by P.L.98-2004, SEC.12.

IC 33-33-17-5

Small claims referee

Sec. 5. (a) In addition to the appointments made under

IC 33-29-1-5, if the county executive establishes the position of small claims referee to serve the court, the judge of the DeKalb superior court may appoint a part-time small claims referee under IC 33-29-3 to assist the court in the exercise of its small claims jurisdiction.

(b) The small claims referee is entitled to reasonable compensation not exceeding twenty thousand dollars (\$20,000) a year as recommended by the judge of the court to be paid by the county after the salary is approved by the county fiscal body. The state shall pay fifty percent (50%) of the salary set under this subsection and the county shall pay the remainder of the salary.

(c) The county executive shall provide and maintain a suitable courtroom and facilities for the use of the small claims referee, including necessary furniture and equipment.

(d) The court shall employ administrative staff necessary to support the functions of the small claims referee.

(e) The county fiscal body shall appropriate sufficient funds for the provision of staff and facilities required under this section.

As added by P.L.98-2004, SEC.12.

IC 33-33-17-6

Jurisdiction

Sec. 6. The DeKalb superior court has the same jurisdiction as the DeKalb circuit court.

As added by P.L.98-2004, SEC.12.

IC 33-33-17-7

Small claims and misdemeanor division

Sec. 7. The DeKalb superior court has a standard small claims and misdemeanor division.

As added by P.L.98-2004, SEC.12.